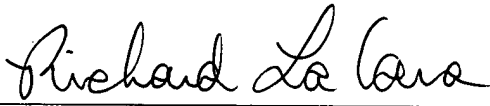




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TRANSMITTAL OF APPEAL BRIEF			Docket No. A6605.0005
In re Application of: Charles F. Schroer, Jr.			
Application No. 10/612,601-Conf. #4815	Filing Date July 1, 2003	Examiner K. M. Reichle	Group Art Unit 3761
Invention: DIAPER DESIGN HAVING ZONES OF REDUCED STIFFNESS AND CONTINUOUS BREATHABILITY			
<u>TO THE COMMISSIONER OF PATENTS:</u>			
Transmitted herewith is the Appeal Brief in this application, with respect to the Notice of Appeal filed: <u>April 3, 2006</u> .			
The fee for filing this Appeal Brief is <u>\$ 500.00</u> .			
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity			
<input type="checkbox"/> A petition for extension of time is also enclosed.			
The fee for the extension of time is _____.			
<input type="checkbox"/> A check in the amount of _____ is enclosed.			
<input type="checkbox"/> Charge the amount of the fee to Deposit Account No. <u>50-2215</u> .			
This sheet is submitted in duplicate.			
<input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees that may be required or credit any overpayment to Deposit Account No. <u>50-2215</u> .			
This sheet is submitted in duplicate.			
		Dated: <u>June 1, 2006</u>	
Richard LaCava Attorney Reg. No. : 41,135 DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP 1177 Avenue of the Americas 41st Floor New York, New York 10036-2714 (212) 896-5484			



Docket No.: A6605.0005
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Charles F. Schroer, Jr.

Application No.: 10/612,601

Confirmation No.: 4815

Filed: July 1, 2003

Art Unit: 3761

For: DIAPER DESIGN HAVING ZONES OF
REDUCED STIFFNESS AND
CONTINUOUS BREATHABILITY

Examiner: K. M. Reichle

APPEAL BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

As required under § 41.37(a), this brief is filed within two months of the Notice of Appeal filed in this case on April 3, 2006, and is in furtherance of said Notice of Appeal.

The fees required under § 41.20(b)(2) are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

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In the event a fee is required or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-2215.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 50-2215.

This brief contains items under the following headings as required by 37 C.F.R. § 41.37 and M.P.E.P. § 1206:

- I. Real Party In Interest
- II Related Appeals and Interferences
- III. Status of Claims
- IV. Status of Amendments
- V. Summary of Claimed Subject Matter
- VI. Grounds of Rejection to be Reviewed on Appeal
- VII. Argument
- VIII. Claims
- IX. Evidence
- X. Related Proceedings
- Appendix A Claims

I. REAL PARTY IN INTEREST

The real party in interest for this appeal is:

ARQUEST, INC.

II. RELATED APPEALS, INTERFERENCES, AND JUDICIAL PROCEEDINGS

There are no other appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

III. STATUS OF CLAIMS

A. Total Number of Claims in Application

There are 48 claims pending in application.

B. Current Status of Claims

1. Claims canceled: none
2. Claims withdrawn from consideration but not canceled: none
3. Claims pending: 1-48
4. Claims allowed: none
5. Claims rejected: 1-48

C. Claims On Appeal

The claims on appeal are claims 1-48.

IV. STATUS OF AMENDMENTS

Appellant filed an Amendment After Final Rejection on February 3, 2006. The Examiner responded to the Amendment After Final Rejection in an Advisory Action mailed February 23, 2006. In the Advisory Action, the Examiner indicated that Appellant's proposed amendments to claims 1, 17 and 32 would be entered.

Accordingly, the claims enclosed herein as Appendix A incorporate the amendments to claims 1, 17 and 32 indicated in the paper filed by Appellant on February 3, 2006.

V. SUMMARY OF CLAIMED SUBJECT MATTER

There are three independent claims, 1, 17 and 32, pending in the present application. All three of these independent claims are directed to the embodiment shown in FIGS. 3 and 4. The differences between these independent claims are described in more detail below.

A. Independent Claim 1

Independent claim 1 is directed to an absorbent article 10 (*e.g.*, a diaper, training pants, etc.; see paragraph [0025]) that has a longitudinal axis (X-X), a lateral axis (Y-Y), a longitudinal length (L), a lateral width (W), longitudinal end edges 13, 14, lateral side edges 11, 12, a front waist region 75, a rear waist region 80, an intermediate crotch region 85 interconnecting the front 75 and rear 80 waist regions, and a pair of leg openings 25 on the lateral sides of the crotch region 85. See paragraph [0033] and FIG. 3.

The absorbent article 10 according to claim 1 also includes a liquid-pervious backsheet 50; a liquid-pervious topsheet 20; a pair of liquid-pervious barrier cuffs 21a, 21b bonded to the topsheet 20; an absorbent core 30 disposed between the topsheet 20 and the backsheet 50; a liquid-impervious barrier layer 40 disposed between the absorbent core 30 and the backsheet 50; and leg elastic members 125 located in at least a portion of the crotch region 85 adjacent to the leg openings 25. See paragraph [0031] and FIG. 4.

According to claim 1, the barrier layer 40 is not present in the portion of the absorbent article 10 where the leg elastic members 125 are located, and the barrier layer 40 also does not wrap around the absorbent core 30. In addition, the barrier cuffs 21a, 21b and the backsheet 50 extend past lateral edges 43, 44 of the barrier layer 40 and terminate at the lateral side edges 11, 12 of the absorbent article 10. See FIGS. 3 and 4, and paragraphs [0032]-[0034].

B. Independent Claim 17

Independent claim 17 is directed to an absorbent article 10 (*e.g.*, a diaper, training pants, etc.; see paragraph [0025]) that has a longitudinal axis (X-X), a lateral axis (Y-Y), a longitudinal length (L), a lateral width (W), longitudinal end edges 13, 14, lateral side edges 11, 12, a front waist region 75, a rear waist region 80, an intermediate crotch region 85 interconnecting the front 75 and rear 80 waist regions, and a pair of leg openings 25 on the lateral sides of the crotch region 85. See paragraph [0033] and FIG. 3.

The absorbent article 10 according to claim 17 also includes a liquid-pervious hydrophobic backsheet 50; a liquid-pervious hydrophilic topsheet 20; a pair of liquid-pervious hydrophobic barrier cuffs 21a, 21b bonded to the topsheet 20; an absorbent core 30 disposed between the topsheet 20 and the backsheet 50; a liquid-impervious barrier layer 40 disposed between the absorbent core 30 and the backsheet 50; and leg elastic members 125 located in at least a portion of the crotch region 85 adjacent to the leg openings 25. See paragraphs [0031] and [0050]-[0055], and FIG. 4.

According to claim 17, the barrier layer 40 is not present in the portion of the absorbent article 10 where the leg elastic members 125 are located, and the barrier cuffs 21a, 21b and the backsheet 50 extend past lateral edges 43, 44 of the barrier layer 40 and terminate at the lateral side edges 11, 12 of the absorbent article 10. See FIGS. 3 and 4, and paragraphs [0032]-[0034].

C. Independent Claim 32

Independent claim 32 is directed to an absorbent article 10 (*e.g.*, a diaper, training pants, etc.; see paragraph [0025]) that has a longitudinal axis (X-X), a lateral axis (Y-Y), a longitudinal length (L), a lateral width (W), longitudinal end edges 13, 14, lateral side edges 11, 12, a front waist region 75, a rear waist region 80, an intermediate crotch region 85 interconnecting the front 75 and rear 80 waist regions, and a pair of leg openings 25 on the lateral sides of the crotch region 85. See paragraph [0033] and FIG. 3.

The absorbent article 10 according to claim 32 also includes a liquid-pervious hydrophobic backsheet 50; a liquid-pervious hydrophilic topsheet 20; a pair of liquid-

pervious hydrophobic barrier cuffs 21a, 21b bonded to the topsheet 20; an absorbent core 30 disposed between the topsheet 20 and the backsheet 50; and a liquid-impervious barrier layer 40 disposed between the absorbent core 30 and the backsheet 50. The barrier layer 40 has longitudinal edges 45, 46 and lateral edges 43, 44. See paragraphs [0031], [0039] and [0050]-[0055], and FIGS. 3 and 4.

As required by claim 32, breathable zones of reduced stiffness 70 are located in the portions of the absorbent article 10 beyond the lateral edges 43, 44 of the barrier layer 40. See paragraphs [0032], [0046], [0047] and FIG. 4. These breathable zones of reduced stiffness 70 are formed because the barrier cuffs 21a, 21b and the backsheet 50 extend past the lateral edges 43, 44 of the barrier layer 40 and terminate at the lateral side edges 11, 12 of the absorbent article 10. See FIGS. 3 and 4, and paragraphs [0032]-[0034].

VI. GROUNDS OF OBJECTION TO BE REVIEWED ON APPEAL

Rejection of claims 1-48 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,624,424 to Saisaka et al. in view of U.S. Patent No. 4,904,251 to Igaue et al., U.S. Patent No. 4,743,246 to Lawson and U.S. Patent No. 4,738,677 to Foreman.

VII. ARGUMENT

A. Detailed Description of the Claimed Invention

The present invention is directed to an absorbent article (e.g., a diaper, training pants, etc). The absorbent article includes a liquid-pervious backsheet; a liquid-pervious topsheet; a pair of liquid-pervious barrier cuffs bonded to the topsheet; an absorbent core disposed between the topsheet and the backsheet; and a liquid-impervious barrier layer disposed between the absorbent core and the backsheet.

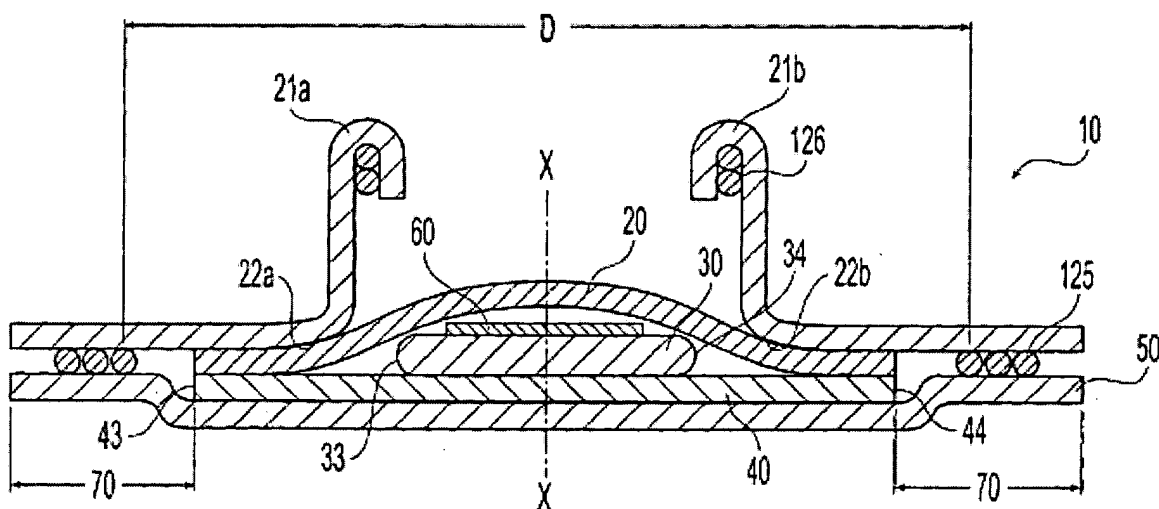


Fig. 4

As shown in FIG. 4 of the present application which is reproduced above, the barrier cuffs and the backsheet extend past lateral edges of the barrier layer and terminate at the lateral side edges of the absorbent article to form breathable zones of reduced stiffness in the portions of the absorbent article beyond the lateral edges of the barrier layer.

In other words, the layers of material forming the diaper are arranged so the area surrounding the wearer's thighs includes only the backsheet and barrier cuffs. No liquid-impervious material (*i.e.*, the barrier layer) is present within these breathable zones of reduced stiffness. Because of this, the present invention provides a better fitting, less irritating absorbent article by reducing the stiffness and increasing the breathability of the absorbent article in the area surrounding the wearer's thighs.

B. Outstanding Claim Rejections

Claims 1-48 currently stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,624,424 to Saisaka et al. in view of U.S. Patent No. 4,904,251 to Igaue et al., U.S. Patent No. 4,743,246 to Lawson and U.S. Patent No. 4,738,677 to Foreman. Appellant respectfully traverses this rejection.

Specifically, Appellant submits that (1) the Examiner has failed to establish a *prima facie* case of obviousness in the first instance, and (2) even if a *prima facie* case of obviousness has been established, the same has been overcome and Appellant's pending claims patentably distinguish over the art of record.

1. A *Prima Facie* Case of Obviousness Has Not Been Established

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the

claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991).

The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." *Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985).

In the comments portion of the Advisory Action, the Examiner, in responding to Appellant's arguments presented in the February 3, 2006 Amendment, stated that "it is noted that col. 10, lines 27-29 and Fig. 5 of '424 [the Saisaka et al. reference] cited by Applicant do not explicitly preclude the barrier cuffs from being turned outward or teach criticality of them being turned inward."

Appellant respectfully submits that this is not the standard for establishing a *prima facie* case of obviousness. It is not the Appellant's burden to show that the teaching of a reference is critical, it is the Examiner's burden to show that a reference teaches the claimed limitations. In the present case, the Examiner has basically stated that since Saisaka et al. does not teach the barrier cuffs being turned outward, the reference also teaches the possibility of the cuffs being turned outward. The Examiner is improperly trying to show the existence of a limitation when no such limitation is shown or described in the reference. This is not the standard, and the Examiner has

thus failed to establish a *prima facie* case of obviousness. Accordingly, it is respectfully submitted that the Examiner's rejection of claims 1-48 should be overturned on this basis alone.

2. Claims 1-48 Patentably Distinguish Over the Prior Art

Notwithstanding the Examiner's failure to establish a *prima facie* case of obviousness, Appellant respectfully submits that claims 1-48 patentably distinguish over the art of record.

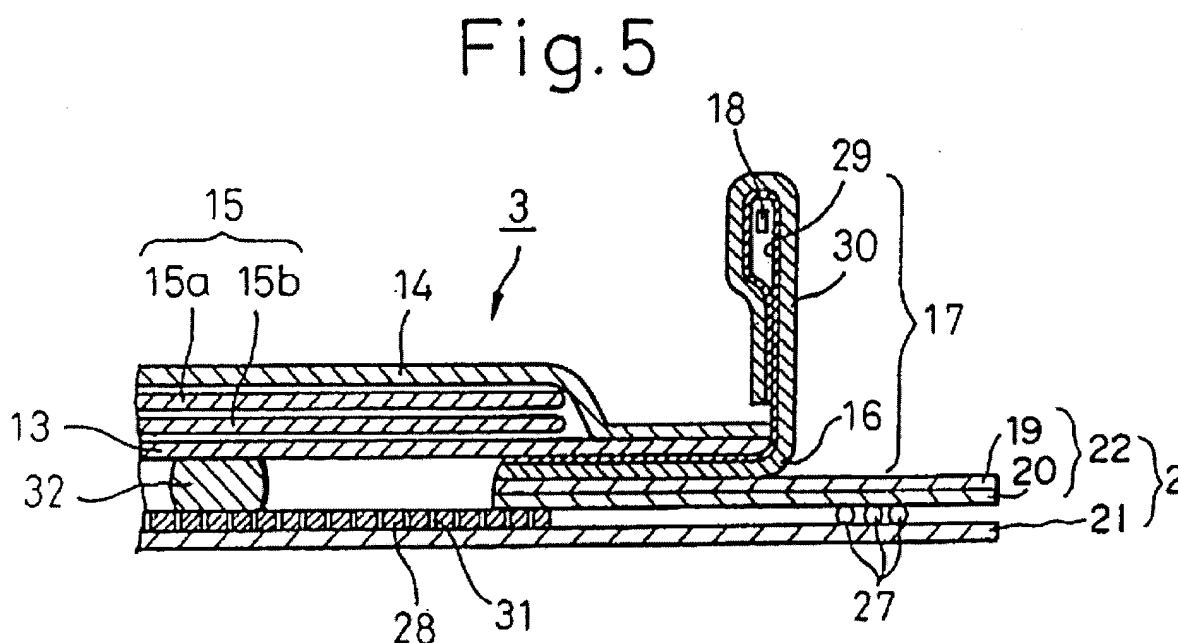
As noted above, claims 1-48 currently stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,624,424 to Saisaka et al. in view of U.S. Patent No. 4,904,251 to Igaue et al., U.S. Patent No. 4,743,246 to Lawson and U.S. Patent No. 4,738,677 to Foreman.

The Examiner has admitted that Saisaka et al. does not teach or suggest that the barrier cuffs and the backsheet extend past the lateral edges of the barrier layer and terminate at the lateral side edges of the absorbent article. See page 5 of the Final Office Action dated October 4, 2005 (the "Final Office Action"). In the Final Office Action, the Examiner contended that there was no criticality to the structure of the absorbent article of Saisaka et al. in this respect, and then relied on the teachings of Igaue et al., Lawson and/or Foreman as showing that the barrier cuff can be turned outward.

Appellant respectfully disagrees and submits that one of skill in the art would have no motivation to modify the teachings of Saisaka et al. with those of Igaue et al., Lawson and/or Foreman because the proposed modification would render the absorbent article of Saisaka et al. unsatisfactory for its intended purpose and/or change

its principle operation. See *In re Gordon*, 733 F.2d 900 (Fed. Cir. 1984) and *In re Ratti*, 270 F.2d 810 (CCPA 1959).

Saisaka et al. is directed to an absorbent article that has side liner portions “formed from a specific stretchable, moisture-permeable composite material.” See col. 1, lines 9-11 of Saisaka et al. Saisaka et al. states that having these stretchable side liner portions is critical to providing an absorbent article with a satisfactory fit for the wearer, etc. See col. 13, lines 52-56. To have the side liner portions of the absorbent article stretchable, Saisaka et al. specifically teaches that the lower end portion of the barrier cuffs 17 are turned inward and fixed between the liquid absorbent member 3 and the side liner sheet 22. See col. 10, lines 27-29; and Fig.5 (reproduced below).



It is respectfully submitted that if the material of the barrier cuffs of Saisaka et al. were turned outward, as suggested by the Examiner through combination with the teachings of Igaue et al., Lawson and/or Foreman, the stretchability of the side liner portions would be eradicated. In each of Saisaka et al. (col. 10, lines 14-29), Igaue et al. (col. 4, lines 49-52), Lawson (col. 9, lines 11-13) and Foreman (col. 13, lines 15-23), the material of the barrier cuff is not stretchable and is liquid impermeable. Thus, the modification of Saisaka et al. with the teachings of Igaue et al., Lawson and/or Foreman would render the absorbent article of Saisaka et al. unsatisfactory for its intended purpose of providing stretchable side liner portions.

Moreover, the teachings of Fig. 7 of Saisaka et al. do not alter this conclusion. Appellant wishes to note that Fig. 7 of Saisaka et al. is a cross-sectional view of Fig. 6. As shown in Fig. 6 (reproduced below), the barrier cuffs 17 are turned inward. As stated above, this is critical to forming the stretchable side liner portions 22 of the absorbent article of Saisaka et al. Therefore, it is respectfully submitted that any modification to the teachings of Saisaka et al. to turn the barrier cuffs outward would render the resultant absorbent article unsatisfactory for the intended purpose of providing stretchable side liner portions.

Appellant therefore respectfully submits that the present invention as recited in independent claims 1, 17 and 32 patentably distinguishes over the art of record, and withdrawal of the rejection of independent claims 1, 17 and 32 is therefore respectfully requested.

Claims 2-16 depend either directly or indirectly from independent claim 1 and include all of the limitations found therein. Claims 18-31 depend either directly or indirectly from independent claim 17 and include all of the limitations found therein. Claims 33-48 depend either directly or indirectly from independent claim 32 and include all of the limitations found therein. Each of these dependent claims include additional limitations which, in combination with the limitations of the claims from which they depend, are neither disclosed nor suggested in the art of record. Accordingly, claims 2-16, 18-31 and 33-48 are likewise patentable.

In view of the foregoing, favorable consideration and allowance of the present application with claims 1-48 is respectfully and earnestly solicited.

VIII. CLAIMS

A copy of the claims involved in the present appeal is attached hereto as Appendix A. As indicated above, the claims in Appendix A do include the amendments filed by Appellant on February 3, 2006.

IX. EVIDENCE

No evidence pursuant to §§ 1.130, 1.131, or 1.132 or entered by or relied upon by the examiner is being submitted.

X. RELATED PROCEEDINGS

No related proceedings are referenced in II. above, or copies of decisions in related proceedings are not provided, hence no Appendix is included.

Dated: June 1, 2006

Respectfully submitted,

By Richard LaCava

Richard LaCava

Registration No.: 41,135

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APPENDIX A

Claims Involved in the Appeal of Application Serial No. 10/612,601

1. An absorbent article having a longitudinal axis, a lateral axis, a longitudinal length, a lateral width, longitudinal end edges and lateral side edges, a front waist region, a rear waist region, an intermediate crotch region interconnecting the front and rear waist regions, and a pair of leg openings on the lateral sides of the crotch region, the article further comprising:

a liquid-pervious backsheet;

a liquid-pervious topsheet;

a pair of liquid-pervious barrier cuffs bonded to the topsheet;

an absorbent core disposed between the topsheet and the backsheet;

a liquid-impervious barrier layer disposed between the absorbent core and the backsheet; and

leg elastic members located in at least a portion of the crotch region adjacent to the leg openings;

wherein the barrier layer is not present in the portion of the article where the leg elastic members are located, the barrier layer does not wrap around the core, and the barrier cuffs and the backsheet extend past lateral edges of the barrier layer and terminate at the lateral side edges of the absorbent article.

2. The absorbent article of claim 1, wherein the topsheet is not present in the portion of the article where the leg elastic members are located.

3. The absorbent article of claim 1, wherein the barrier cuffs and the backsheet are formed of a hydrophobic material.

4. The absorbent article of claim 1, wherein the absorbent core has lateral edges which are located laterally inboard of the leg elastics.

5. The absorbent article of claim 4, further comprising bonding points where the barrier cuffs are bonded to the topsheet, wherein the lateral edges of the absorbent core are located laterally inboard of the bonding points.

6. The absorbent article of claim 4, wherein the absorbent core has a longitudinal length which is less than a longitudinal length of the absorbent article, and has longitudinal edges which do not extend to the absorbent article's longitudinal end edges.

7. The absorbent article of claim 1, wherein the barrier layer has lateral edges which are located laterally inboard of the leg elastics.

8. The absorbent article of claim 7, wherein the barrier layer has a longitudinal length that extends to the absorbent article's longitudinal end edges.

9. The absorbent article of claim 1, wherein the topsheet has lateral edges which are located laterally inboard of the leg elastics.

10. The absorbent article of claim 1, wherein the core, the barrier layer, and the topsheet all have lateral edges which are located laterally inboard of the leg elastics.

11. The absorbent article of claim 1, wherein the portion of the crotch region where the leg elastics are located and where the barrier layer does not extend form breathable regions of reduced stiffness.

12. The absorbent article of claim 1, wherein the leg elastics comprise a pair of generally straight elastic members, each generally parallel to a longitudinal axis of the article, the elastic members being laterally separated from each other by a leg elastic separation distance.

13. The absorbent article of claim 12, wherein the absorbent core:
is generally rectangular;
has a lateral width which is less than the leg elastic separation distance; and
has lateral edges which are located laterally inboard of the elastic members.

14. The absorbent article of claim 13, wherein the absorbent core has a longitudinal length which is less than the longitudinal length of the absorbent article, and has longitudinal edges which do not extend to the absorbent article's longitudinal end edges.

15. The absorbent article of claim 12, wherein the barrier layer:
is generally rectangular;
has a lateral width which is less than the leg elastic separation distance; and
has lateral edges which are located laterally inboard of the elastic members.

16. The absorbent article of claim 15, wherein the barrier layer has a longitudinal length that extends to the absorbent article's longitudinal end edges.

17. An absorbent article having a longitudinal axis, a lateral axis, a longitudinal length, a lateral width, longitudinal end edges and lateral side edges, a front waist region, a rear waist region, an intermediate crotch region interconnecting the front and rear waist regions, and a pair of leg openings on the lateral sides of the crotch region, the article further comprising:

- a liquid-pervious hydrophobic backsheet;
- a liquid-pervious hydrophilic topsheet;
- a pair of liquid-pervious hydrophobic barrier cuffs bonded to the topsheet;
- an absorbent core disposed between the topsheet and the backsheet;
- a liquid-impervious barrier layer disposed between the absorbent core and the backsheet; and

leg elastic members located in at least a portion of the crotch region adjacent to the leg openings;

wherein the barrier layer is not present in the portion of the article where the leg elastic members are located, and the barrier cuffs and the backsheet extend past lateral edges of the barrier layer and terminate at the lateral side edges of the absorbent article.

18. The absorbent article of claim 17, wherein the topsheet is not present in the portion of the article where the leg elastic members are located.

19. The absorbent article of claim 17, wherein the absorbent core has lateral edges which are located laterally inboard of the leg elastics.

20. The absorbent article of claim 19, further comprising bonding points where the barrier cuffs are bonded to the topsheet, wherein the lateral edges of the absorbent core are located laterally inboard of the bonding points.

21. The absorbent article of claim 19, wherein the absorbent core has a longitudinal length which is less than the longitudinal length of the absorbent article, and has longitudinal edges which do not extend to the absorbent article's longitudinal end edges.

22. The absorbent article of claim 17, wherein the barrier layer has lateral edges which are located laterally inboard of the leg elastics.

23. The absorbent article of claim 22, wherein the barrier layer has a longitudinal length that extends to the absorbent article's longitudinal end edges.

24. The absorbent article of claim 17, wherein the topsheet has lateral edges which are located laterally inboard of the leg elastics.

25. The absorbent article of claim 17, wherein the core, the barrier layer, and the topsheet all have lateral edges which are located laterally inboard of the leg elastics.

26. The absorbent article of claim 17, wherein the portion of the crotch region where the leg elastics are located and where the barrier layer does not extend form breathable regions of reduced stiffness.

27. The absorbent article of claim 17, wherein the leg elastics comprise a pair of generally straight elastic members, each generally parallel to the longitudinal axis of the article, the elastic members being laterally separated from each other by a leg elastic separation distance.

28. The absorbent article of claim 27, wherein the absorbent core:
is generally rectangular;
has a lateral width which is less than the leg elastic separation distance; and
has lateral edges which are located laterally inboard of the elastic members.

29. The absorbent article of claim 28, wherein the absorbent core has a longitudinal length which is less than the longitudinal length of the absorbent article, and has longitudinal edges which do not extend to the absorbent article's longitudinal end edges.

30. The absorbent article of claim 27, wherein the barrier layer:
is generally rectangular;
has a lateral width which is less than the leg elastic separation distance; and
has lateral edges which are located laterally inboard of the elastic members.

31. The absorbent article of claim 30, wherein the barrier layer has a longitudinal length that extends to the absorbent article's longitudinal end edges.

32. An absorbent article having a longitudinal axis, a lateral axis, a longitudinal length, a lateral width, longitudinal end edges and lateral side edges, a front waist region, a rear waist region, and an intermediate crotch region interconnecting the front and rear waist regions, the article further comprising:

- a liquid-pervious hydrophobic backsheet;
- a liquid-pervious hydrophilic topsheet;
- a pair of liquid-pervious hydrophobic barrier cuffs bonded to the topsheet;
- an absorbent core disposed between the topsheet and the backsheet;
- a liquid-impervious barrier layer disposed between the absorbent core and the backsheet, the barrier layer having longitudinal edges and lateral edges; and

breathable zones of reduced stiffness located in the portions of the article beyond the lateral edges of the barrier layer,

wherein the barrier cuffs and the backsheet extend past the lateral edges of the barrier layer and terminate at the lateral side edges of the absorbent article.

33. The article of claim 32, wherein the breathable zones of reduced stiffness comprise portions of the absorbent article which do not encompass any liquid-impervious material.

34. The article of claim 32, wherein the breathable zones of reduced stiffness comprise portions of the absorbent article which do not encompass any hydrophilic material.

35. The article of claim 32, wherein the breathable zones of reduced stiffness comprise portions of the absorbent article which do not encompass any liquid-impervious or hydrophilic material.

36. The absorbent article of claim 32, further comprising leg elastic members located in at least a portion of the crotch region.

37. The absorbent article of claim 36, wherein the absorbent core has lateral edges which are located laterally inboard of the leg elastics.

38. The absorbent article of claim 37, further comprising bonding points where the barrier cuffs are bonded to the topsheet, wherein the lateral edges of the absorbent core are located laterally inboard of the bonding points.

39. The absorbent article of claim 37, wherein the absorbent core has a longitudinal length which is less than the longitudinal length of the absorbent article, and has longitudinal edges which do not extend to the absorbent article's longitudinal end edges.

40. The absorbent article of claim 36, wherein the barrier layer lateral edges are located laterally inboard of the leg elastics.

41. The absorbent article of claim 40, wherein the barrier layer has a longitudinal length that extends to the absorbent article's longitudinal end edges.

42. The absorbent article of claim 36, wherein the topsheet has lateral edges which are located laterally inboard of the leg elastics.

43. The absorbent article of claim 36, wherein the core, the barrier layer, and the topsheet all have lateral edges which are located laterally inboard of the leg elastics.

44. The absorbent article of claim 36, wherein the leg elastics comprise a pair of generally straight elastic members, each generally parallel to the longitudinal axis of the article, the elastic members being laterally separated from each other by a leg elastic separation distance.

45. The absorbent article of claim 44, wherein the absorbent core:
is generally rectangular;
has a lateral width which is less than the leg elastic separation distance; and
has lateral edges which are located laterally inboard of the elastic members.

46. The absorbent article of claim 45, wherein the absorbent core has a longitudinal length which is less than the longitudinal length of the absorbent article, and has longitudinal edges which do not extend to the absorbent article's longitudinal end edges.

47. The absorbent article of claim 44, wherein the barrier layer:
is generally rectangular;
has a lateral width which is less than the leg elastic separation distance; and
has lateral edges which are located laterally inboard of the elastic members.

48. The absorbent article of claim 47, wherein the barrier layer has a longitudinal length that extends to the absorbent article's longitudinal end edges.